

REMARKS:

Claim Rejections - 35 USC § 103

In the Office Action dated June 20, 2003, claims 1-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Vaughan et al. '060 in view of Severino.

This rejection is respectfully traversed because neither Vaughan et al. '060 nor Severino discloses or contains a teaching of the required feature of "each said spanning member comprises intersecting straps selectively orthogonally oriented relative to said spanning member", as required by claim 1. The Examiner's attention is invited to page 9 of the specification, where at lines 11-16, where the nature of the intersecting straps is made clear. "Spanning members 18, 20, 22, 24 and braces 26, 28 are preferably formed by intersecting straps selectively orthogonally oriented to one another, as shown in Fig. 2. This cross sectional configuration maximizes strength of the respective member while minimizing the amount of constituent material thereof." It can be clearly seen in Fig. 2, that the intersecting straps referred to in the above-cited passage are straps that both run along the length of each spanning member (or brace) and together form the spanning member (or brace) to have a "T" or "+" shaped cross-section, thereby providing the spanning member (or brace) with maximal strength using a minimum of material. Neither the spanning members (1660, 1650, 1630, 1620) nor the braces (1260) of Vaughan et al. show such a cross-section formed by orthogonally oriented intersecting straps. It can be clearly seen in Fig. 16 of Vaughan et al. that each of the spanning members and braces of that reference are planar, not comprised of intersecting straps. For these reasons, rejection of claim 1 as obvious over Vaughan

et al. in view of Severino is traversed, and reconsideration and withdrawal of the rejection is respectfully requested.

Each of claims 2-3, 5-7, and 9-10 depend from claim 1, so the rejection of these claims is respectfully traversed for the same reasons given above. For these reasons, rejection of claims 2-3, 5-7, and 9-10 as obvious over Vaughan et al. in view of Severino is traversed, and reconsideration and withdrawal of the rejection is respectfully requested.

In addition, regarding claims 2 and 3, these claims have been amended to make clear that the openings with the horizontally oriented lengths are elongated. This feature is not shown in either Vaughan et al. or Severino.

With regard to claim 6, this claim has been amended to make clear that it is the height of the relationship of the height and width of the *interior* of the receptacle that is being claimed, not the relationship of the height and width of the receptacle as a whole. Neither Vaughan et al. or Severino discloses a receptacle with an interior height greater than its interior width.

With respect to claim 11, this claim requires spanning members that each comprise intersecting straps selectively orthogonally oriented relative to one another *and* at least one brace connecting at least two of the spanning members, wherein the brace comprises intersecting straps selectively orthogonally oriented relative to one another. As pointed out above with respect to the rejection of claim 1, this recitation in the claim requires that each of the spanning members and braces have a “T” or “+” shaped cross-section. Not only does neither Vaughan et al. nor Severino disclose this feature, the Examiner has inappropriately relied upon elements 1260 and 1460 to serve simultaneously both as the intersecting straps of the spanning members and as the braces (see page 5 of the Office action, lines 6-8 of the second full paragraph). It is impermissible for a

single element in the reference to be relied upon to simultaneously meet two separately claimed structural elements set forth in a single claim of the invention. For these reasons, rejection of claim 11 as obvious over Vaughan et al. in view of Severino is traversed, and reconsideration and withdrawal of the rejection is respectfully requested.

Newly added claims

New claim 21 and 22 have been added. Claim 21 recites a feature which has not previously been claimed, specifically an orthogonal ridge of material extending substantially along the full length of one face of each end plate, with a break in the ridge located along the portion of each elongate plate that coincides with a respective one of the first outer opening and the second outer opening. This facilitates the ease with which someone can saw the tie bracket in half by minimizing the amount of material that needs to be sawed through (see specification page 10, lines 4-8). Claim 22 sets forth identical features to claim 1, with different wording used to claim the shape of the spanning members.

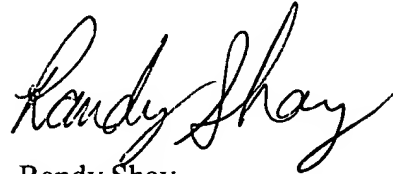
CONCLUSION

For the foregoing reasons, all the claims now pending in the present application are believed to be allowable, and the present application is in condition for allowance. Accordingly, favorable reconsideration of the application in light of the amendment and remarks is respectfully requested.

If the Examiner has any comments or suggestions that could place this application in even

better form, the Examiner is requested to telephone the undersigned representative at the number listed below.

Respectfully submitted,

A handwritten signature in cursive script that reads "Randy Shay".

Randy Shay
Agent for Applicant
Registration No. 44,055
Siemens Patent Services, L.C.
P.O. Box 2607
Fairfax, VA 22031
(540) 548-4404

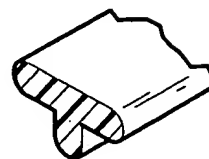
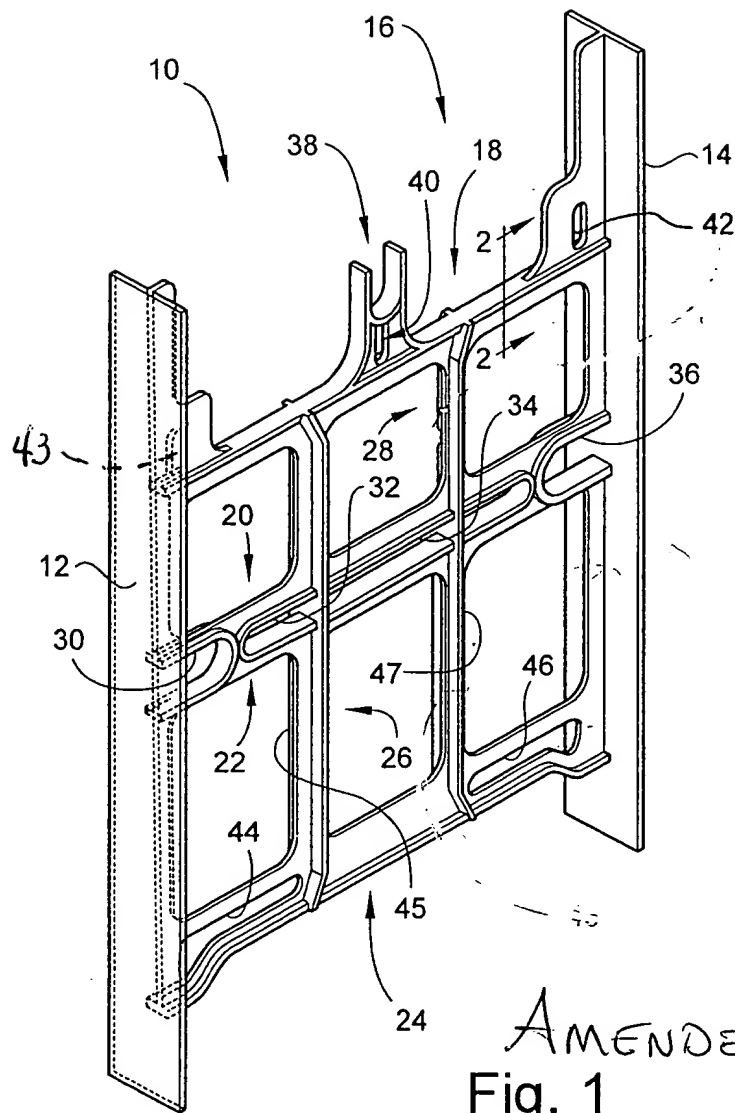


Fig. 2

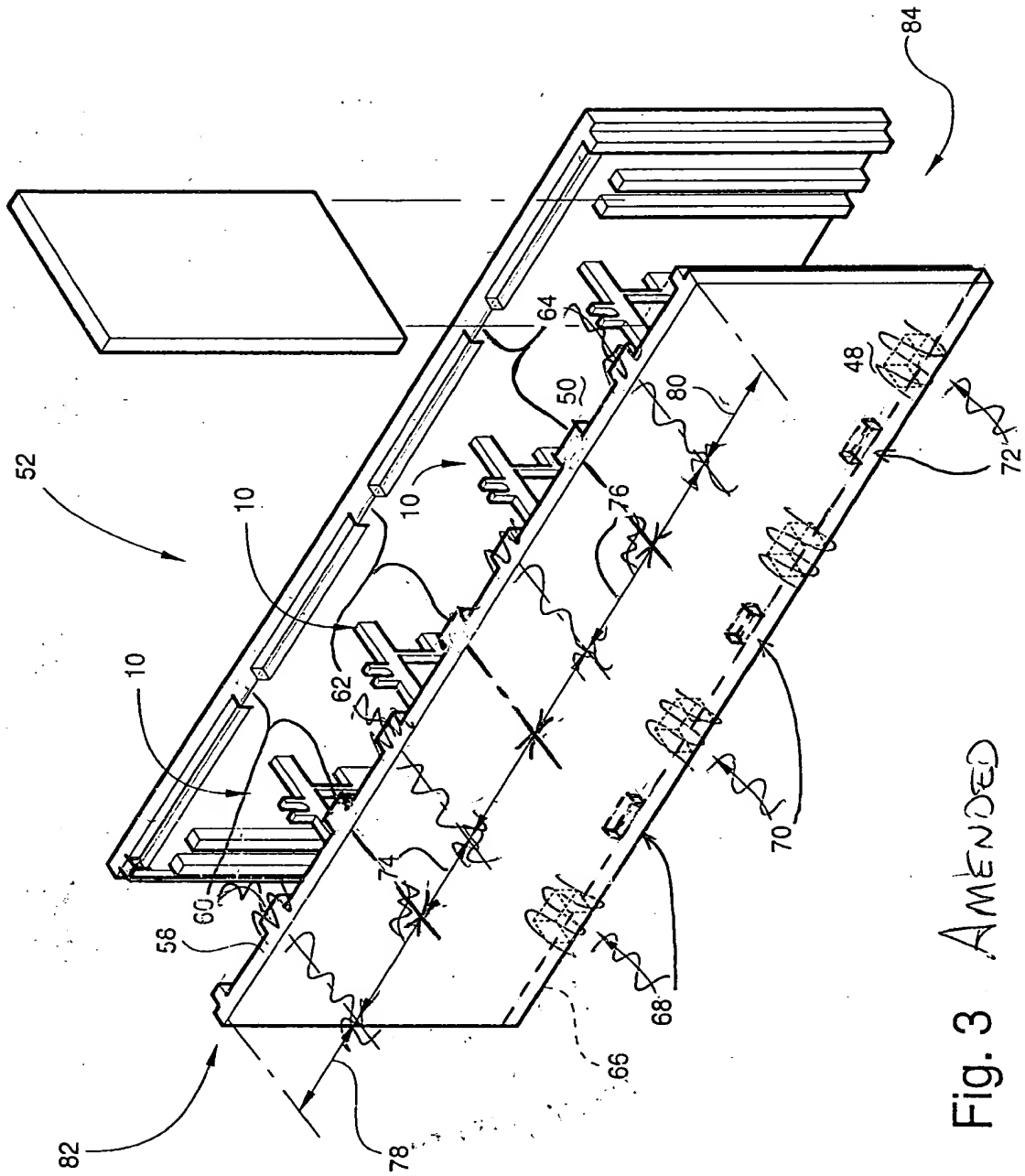


Fig. 3 AMENDED